

Application No.: 10/551,795
Amendment Dated: April 28, 2008
Reply to Office Action of: December 26, 2007

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Remarks/Arguments:

Claims 1-10 and 12-16 are pending and stand rejected.

By this Amendment, claims 1-3 and 6-7 are amended and new claim 17 is added. No new matter has been added by the claim amendments and new claim. Support for the claim amendments and new claim can be found throughout the original specification and, for example, in the original specification at page 39, lines 11-17.

Rejection of Claims 1-12 under 35 U.S.C. §103(a)

In the Office Action, at item 7, claims 1-12 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Kimura et al. (U.S. Patent Publication No. 2002/0133595) in view of Furukawa et al. (U.S. Patent Publication 2002/0009073). Claim 11 was cancelled in the Amendment filed October 18, 2007. Further, although claims 14-16 are not listed as being rejected over Kimura in view of Furukawa, claims 14-16 are addressed in the body of the rejection. Accordingly, Applicant believes that the proper rejection should have included claims 1-10, 12 and 14-16.

Reconsideration is respectfully requested.

Claim 1

Claim 1 is directed to a home link setting method by a home gateway device having a home agent function for accommodating terminals including a mobile terminal, and recites:

a home link selecting step of selecting, by the home gateway device, a home link from among links connecting to communication interfaces other than the communication interface which has received the network information ...

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wherein the home link selecting step includes choosing one of the communication interfaces corresponding to the mobile terminal, as the home link.

Kimura Reference

In the Office Action, at page 4, the Examiner acknowledges that "Kimura does not explicitly disclose a home link selecting step of selecting a home link from among links connecting to communications interfaces other than the communication interface which has received the network information." Applicant further submits that Kimura is silent regarding the feature in claim 1 of "choosing one of the communication interfaces corresponding to the mobile terminal, as the home link."

Furukawa Reference

Furukawa, at the portion cited by the Examiner, discloses a relay control unit provided in a relay gateway that converts the IP packet and the signaling unit by using the address connection table which contains the address information of the IP packet and the label information of the signaling unit. Furukawa further discloses that the relay control units retrieves the signal station address administration table, indicates the telephone number of the destination telephone set, and acquires the signal station address of the exchanger for managing the telephone set. The relay control unit of Furukawa determines the line number of the signal link selection based on the rule previously determined by the public switched telephone network. (See Furukawa at paragraph [1003] and [1009].) Thus, Furukawa is concerned with relaying (exchanging) information between a public switched telephone network and the IP network. Furukawa, however, at the portion cited by the Examiner, is silent regarding a mobile terminal or a mobile link (i.e. the link used by the mobile terminal as its home link).

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Accordingly, it is submitted that claim 1 patentably distinguishes over Kimura in view of Furukawa for at least the above-mentioned reasons.

Claim 6

Claim 6, which includes similar but not identical features to claim 1, is submitted to patentably distinguish over Kimura in view of Furukawa for at least similar reasons to those of claim 1.

Claims 2-5, 7-10 and 15-16

Claims 2-5, 7-10, and 15-16, which include all of the limitations of claim 1 or claim 6, are submitted to patentably distinguish over Kimura in view of Furukawa for at least the same reasons as claim 1 or claim 6.

Claim 12

Claim 12 is directed to a mobile terminal, and recites: "a home agent information response unit generating a response message in which stored home agent information is written ..."

Kimura Reference

In the Office Action, at page 9, the Examiner contends that Kimura teaches

a response message in which stored home agent information is written ... (upon receipt of this agent advertisement message, the mobile node 160 compares the home agent address stored in the storage unit 168 of mobile node 160 with the address included in the received agent advertisement message to determine whether it is located on its home network or a foreign network see paragraph [0018], (emphasis in original).

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Applicant respectfully disagrees with the Examiner regarding his contention. Although the home agent address is used by the mobile node 160 in Kimura to determine where it is located (i.e., on a home network or a foreign network) and a location registration request message is sent from the mobile node to the home gateway when the mobile node determines that it has moved to a foreign network, Kimura discloses that the location registration request message includes a communication header; an address of home gateway 110 as a destination; an IP address of mobile node 160 as a sender; and an address of home gateway 110 or foreign router 300 that was included in the agent advertisement message the mobile node received. (See Kimura at paragraph [0018].) That is, Kimura is silent regarding the location registration request message including home agent information stored in storage unit 168 (i.e., stored by the mobile node 160). This is because, the information in the location registration message concerns the mobile terminal, and for example, does not concern home agent information.

Furukawa Reference

Furukawa was previously discussed above. Furukawa which is concerned with relaying information between a packet switch telephone network and an IP network, at the portion cited by the Examiner, is silent regarding, for example, home agent information.

Accordingly, it is submitted that claim 12 patentably distinguishes over Kimura and Furukawa for at least the above-mentioned reasons.

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Rejection of Claim 13 under 35 U.S.C. §103(a)

In the Office Action, at item 22, claim 13 is rejected under 35 U.S.C. §103(a) as being unpatentable over Kimura in view of Furukawa in further view of Leung (U.S. Patent No. 6,466,964).

Reconsideration is respectfully requested.

Claim 13, which includes all of the limitations of claim 12, is submitted to patentably distinguish over Kimura and Furukawa for at least the same reasons as claim 12.

Leung Reference

The addition of Leung does not overcome the deficiencies of Kimura and Furukawa. This is because, Leung does not disclose or suggest the feature of "a home agent information response unit generating a response message in which stored home agent information is written," as required by claim 12. Instead, Leung, which is directed to a method for enabling a node that does not support mobile IP to roam from a first foreign agent to a second foreign agent, is silent regarding a home agent information response unit generating a response message in which stored home agent information is written. This is because, in Leung, the node (corresponding to the mobile terminal recited in claim 12) does not implement the mobile IP protocol and this node functions without knowledge of the operation of the foreign agent or virtual agent scheme. (See Leung at column 14, lines 47-49.) Thus, the node (mobile terminal) has no need to store home agent information to be written into a response message.

Accordingly, it is submitted that claim 13 patentably distinguishes over Kimura in view of Furukawa in further view of Leung at least for the above-mentioned reasons.

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New Claim 17

New claim 17 is submitted to be patentable for at least the feature of:

selecting, by the home gateway device, one of: 1) a first mode of operation in which the terminal on the selected home link uses home agent information stored in the mobile terminal for conducting the home agent function or 2) a second mode of operation in which the terminal on the selected home link uses other home agent information for conducting the home agent function, the other home agent information being based on the received network information.

It is submitted that the cited art is silent regarding first and second modes using different agent information from the mobile terminal or based on the received network information (received through the network).

Consideration and approval is respectfully requested.

Conclusion

In view of the claim amendments, new claim and remarks, Applicant submits the application is in condition for allowance, which action is respectfully requested.

Respectfully submitted,

RatherPrestia

Lawrence E. Ashery, Reg. No. 34,515
Attorney for Applicant

EB/so

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P.O. Box 980
Valley Forge, PA 19482
(610) 407-0700

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